

**CITY OF MURFREESBORO, TENNESSEE
MURFREESBORO FIRE RESCUE DEPARTMENT**



**AFFIRMATIVE ACTION PLAN FOR INDIVIDUALS
WITH DISABILITIES AND PROTECTED VETERANS**

October 1, 2018 – September 30, 2019

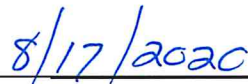
Murfreesboro Fire Rescue Department
220 N.W. Broad St. * Murfreesboro, Tennessee 37130
Phone 615.893.1422 * Fax 615.848.3201 * TDD 615.849.2689
www.murfreesborotn.gov

PLAN CERTIFICATION

The Murfreesboro Fire Rescue Department reaffirms its policy of equal employment opportunity and affirmative action for individuals with disabilities and protected veterans. This Affirmative Action Plan (AAP) and policy are an expression of my personal and professional commitment to equal opportunity in employment consistent with applicable federal and state laws. This AAP has my complete authorization and commitment. *Annual audit reports summarizing the Department's affirmative action efforts are attached as appendixes.*



Mark Foulks, Fire Chief



Date

Copies of the AAP are on file in the Murfreesboro Fire Rescue Department Personnel Section, 220 North West Broad Street, Murfreesboro, TN 37130, and in the Murfreesboro, Human Resources Department, City Hall, 111 West Vine Street, Murfreesboro, TN 37130. This publication will be made available in accessible formats upon request.

PREFACE

The City of Murfreesboro, Tennessee is committed to the principles and practice of equal employment opportunity and affirmative action as required by all applicable state and federal law. In the preparation of this Affirmative Action Plan ("AAP") for the Murfreesboro Fire Rescue Department, the City has been guided by Section 503 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 793), ("Section 503") and its implementing regulations published by the U.S. Department of Labor, Office of Federal Contract Compliance Programs ("OFCCP") (41 C.F.R. Part 60-741) and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (38 U.S.C. § 2011 et seq.), ("VEVRAA") and its implementing OFCCP regulations (41 C.F.R. Part 60-300). Nothing in this AAP should be construed as an admission by the City, in whole or in part, that it has contravened any federal, state, or local employment practice laws.

This AAP does not constitute an express or implied contract between the City and its employees, job applicants, or other persons, nor does it change in any way the basic employment relationship that City employees have with the City. Nothing in this AAP creates a private right of action on behalf of any individual or group against the City.

Appendix – B
Audit Report for the Period 10/1/18 through 09/30/2019

AAP - Murfreesboro Fire Rescue Department	10/1/17 - 9/30/18	10/01/18 – 9/30/2019
Number of applicants who self-identify as protected veterans before an offer of employment is made	45	76
Total number of job vacancies	40	44
Total number of job vacancies filled	40	71*
Total number of applicants for all jobs	445	867
Number of protected veteran applicants hired	2	9
Total number of applicants hired	28	71
% of Veterans Hired	7.14%	12%
% of Applicants w/Disability Hired	0%	2%
% of Applicants who Self-Identified w/Disability		4%
Total Promotions	12	24
Total number of Veterans promoted	2	2
Total number of employees with disability promoted	0	0
% of Veterans Promoted	16%	8%
% of employees with disability promoted	0%	0%

A review of the MFRD's hiring and promotion activities was conducted to ensure such activities are free from discrimination against or stereotyping of, protected veterans and individuals with disabilities (IWD) in any manner. The results of this audit are reflected above.

In the year ending on September 30, 2019, the MFRD surpassed the 6.9% goal set by the OFCCP, by over 5%, ending the period with 12% of Veterans hired. Additionally, 2% of the total hires for this period were made up of individuals with disabilities which is an increase of 2% over the same period last year.

Most positions available in the Fire and Rescue Department require significant physical abilities (lifting, pushing, pulling, etc.). Nevertheless, the MFRD continues to review their job descriptions to include the physical abilities function to ensure it is not discriminatory toward individuals with disabilities.

There were no "known" promotions of individuals with disabilities during this period. Because the department has such a low percentage of individuals with a disability employed, it is reasonable to conclude that promotions will be achieved at a much lower rate for this category.

**Note: Job vacancies that remained unfilled between 10/1/2017 thru 9/31/2018 were filled between 10/1/2018 thru 9/31/2019. As of 9/31/2019 there are job vacancies that will be filled in the next reporting period.*

During the self-audit, the following activities were also reviewed:

- Recruitment, advertising, and job application procedures;
- Implementation of hiring promotion procedures;
- Rates of pay and other forms of compensation; and
- Implementation of reasonable accommodation policies and procedures.

These activities comply with federal regulations and will contribute to the Department meeting its AAP goals.

The following documents are maintained as a component of the internal audit process:

- Documentation of Invitation to MFRD employees to self-identify as a protected veteran (withheld from distribution or public inspection to ensure confidentiality);
 - Data of personnel activities including hires and promotions relating to protected veterans (withheld from distribution or public inspection to ensure confidentiality); and
 - An applicant flow log showing the race, ethnicity, sex, protected veteran status, IWD status, job title, and hire date. All applications remain on file in the City's NEOGOV applicant tracking system.
- **Self-Audit**

Several deficiencies found in last year's report have since been corrected as follows:

4.A. v. vii., Internal Dissemination of Policy

Internal Dissemination of Policy

Section v. – Invitation form to self-identify as either an individual with a disability or a protected veteran are now available on the City's website and appears upon applying for a position.

Section vii. – This AAP Document is now posted on the MFRD's Webpage.

4. B. i., ii., iii., and v., External Dissemination of Policy

External Dissemination of Policy, Outreach and Positive Recruitment

Section i. – The HR Department has been able to verify steps taken to enlist the assistance and support of recruiting sources such as the local Career Center.

Section ii. – During the period audited, there was documentation to support jobs were posted with the Tennessee Career Center (www.jobs4tn.gov).

Section iii. – The Human Resources Department has enlisted the assistance and support of local recruiting sources, and organizations especially knowledgeable about the availability of individuals with disabilities and protected veterans by participating in local jobs fairs and posting positions with Local Job Network, an organization specifically designed to reach both veterans and employees with disabilities.

Note that a training session was conducted regarding PTSD and veteran based support services available. The session was well attended and let by General Huber, from Middle Tennessee State University.

Section v. – There is proof of saved contracts entered on behalf of the MFRD by the City that incorporated references to the affirmative action clauses required by the OFCCP regulations.

5. B. iv., Affirmative Action Practices and Procedures

Section iv. – Applicants or employees who are selected for hire, promotion, or training can request an accommodation that makes it possible for them to be placed in said position. The City will engage in the interactive process to determine if an accommodation can be made.

- **Areas requiring additional attention:**

5. C. ii, iii, Affirmative Action Practices and Procedures

Section ii. – The MFRD does not currently have proof to support that individuals with disabilities or veterans were identified during promotional processes or training programs for which they were considered. Going forward all promotions will be placed online with a copy of the self-identify form offered for all MFRD employees to submit.

Section iii. – The City nor the MFRD have proof that verify employees or applicants with disabilities or protected veterans were rejected for employment, promotion, or training and explaining the reasons for the rejections. Going forward MFRD will submit/record a reason for an employment rejection, promotion or training opportunity.

5. G. Affirmative Action Practices and Procedures

Training of Personnel Involved in Selection – There are no proofs to verify training of personnel involved in the recruitment, screening, selection, promotion, discipline and other related processes on behalf of the MFRD regarding the Department's Affirmative Action Plan. Going forward the MFRD will schedule an annual training for supervisors to attend Affirmative Action training as it relates to their responsibilities in the areas of recruitment, promotions, training and discipline.

6.D. Identification of Problem Areas

Action Oriented programs for Individuals with Disabilities – There are no proofs that support the MFRD developed or executed action-oriented programs designed to correct any identified problem areas with respect to the employment and advancement of individuals with disabilities within the department. However, the MRRD has conducted a review of all their job to determine the correct knowledge, skills and abilities are listed and that they do not recreate an undue hardship on anyone with a disability.